


REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1 and 4-8 are in the application. Claims 3, 5 and 7 have been amended. No new matter has been added.

The Examiner rejected claims 3, 5, and 7 under 35 USC 112, stating that it was unclear whether the entire strain or only the mutant which produces higher levels of Q10, i.e., the selected strain, overcomes the growth inhibition. Applicant has amended claims 3, 5, and 7 to add the word "selected" before "mutagenized strain" in line 11 of each claim, to indicate that it is only the selected strain that overcomes the growth inhibition. Applicant has also canceled the objected to phrase "grows in a fermentation medium" from each claim. In a telephone conversation with the undersigned, the Examiner indicated that these amendments would be sufficient to overcome the rejections.

It is now believed that the application is in condition for allowance. Early allowance of the amended claims is respectfully requested.

Respectfully submitted,
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I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 15, 2005.


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